

**OPINION**  
**51-135**

May 16, 1951           (OPINION)

PRINTING

RE: 1951 Amendment No Effect on Prior Valid Contract

You state that you have a contract outstanding on pamphlets which does not expire until December 31, 1952.

Senate Bill 64, which amended the law covering the classes of printing, also provides that separate contracts for each class shall be let by the commission under competitive bidding in accordance with the provisions of the printing law. This law, which did not carry an emergency clause, will become effective in July, 1951.

You would like to know the effect of this law as of July, 1951, in relation to the contract outstanding.

Section 16 of the North Dakota Constitution provides: "No \* \* \* law impairing the obligations of contracts shall ever be passed."

A law enacted subsequent to a contract which, if valid, will have the effect of annulling the contract constitutes the most palpable form of legislative impairment, and such enactment is clearly unconstitutional.

However, a statute may be invalid as to contracts existing at the time of its passage, but valid as to future contracts.

We agree with your opinion, that the contract outstanding on pamphlets does not expire until December 31, 1952, and the new legislative enactment cannot affect that specific situation until the expiration of such contract.

ELMO T. CHRISTIANSON

Attorney General